

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TORRI M. DURDEN,

Plaintiff,

Case No. 20-CV-12974

vs.

HON. GEORGE CARAM STEEH

SARAH SHEEHAN,

Defendant.

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ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [ECF No. 30]

Plaintiff Torri M. Durden (“Durden”), an incarcerated person, filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against defendant Sarah Sheehan, E.M.T. (“Sheehan”). Durden alleges an Eighth Amendment claim of deliberate indifference to a medical injury he allegedly suffered during his time at the Oakland County Jail. Sheehan filed a motion for summary judgment (ECF No. 22) which was referred to the Magistrate Judge for a Report and Recommendation (“R&R”). The Magistrate Judge filed an R&R recommending that motion be granted (ECF No. 30).

Durden filed objections to the R&R. He states that Sheehan lacks credibility when she stated there was no injury to Durden’s knee because

she was not able to make that determination due to Durden being strapped to a restraining chair. The R&R viewed the evidence in the light most favorable to Durden, the non-moving party. Durden's knee and ankle were examined by a nurse prior to Sheehan's examination and another E.M.T. after Sheehan's examination. None of the nine examinations noted any outward symptoms of swelling, injury or trauma. Sheehan examined Durden the best she could given the limitations of the restraining chair. The fact that the examination was limited does not impugn Sheehan's credibility.

Durden also objects to the expectation that he should have provided the surveillance video due to the fact that he does not have the assistance of counsel. While Durden is held to a more relaxed standard as a *pro se* litigant, this does not relieve him of the usual requirements of summary judgment. *See Boswell v. Mayer*, 169 F.3d 384 (6th Cir.1999).

This Court agrees with and adopts the analysis conducted and recommendation made by the Magistrate Judge. Now, therefore, for the reasons stated by the Magistrate Judge, the R&R is adopted as an order of the Court.

IT IS HEREBY ORDERED that the Report and Recommendation [ECF No. 30] is accepted by the Court.

IT IS HEREBY FURTHER ORDERED that defendant's motion for summary judgment [ECF No. 22] is GRANTED.

Dated: August 24, 2022

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 24, 2022, by electronic and/or ordinary mail and also on Torri M. Durden #689182, St. Louis Correctional Facility, 8585 N. Croswell Road, St. Louis, MI 48880.

s/Brianna Sauve  
Deputy Clerk